

M. ALBERT MORNINGSTAR	*	IN THE
Assignee of Jack V. Leishear		
under mortgage from John B. McClellan, Jr.	*	CIRCUIT COURT
and under mortgage from		
John B. McClellan, Jr. and Neda H. McClellan	*	FOR
M. ALBERT MORNINGSTAR	*	FREDERICK COUNTY,
Assignee of Daniel and Eileen Freedman		
and Philip S. Udoff	*	MARYLAND
under mortgage from		
John B. McClellan and Neda H. McClellan	*	EQUITY NO. 31,525

* * * * *

PETITION TO ORDER RESALE OF PROPERTY
AT SOLE RISK AND EXPENSE OF DEFAULTING PURCHASER
AT FIRST FORECLOSURE SALE

Comes now the Plaintiffs, Jack V. Leishear and Daniel and Eileen Freedman and Philip S. Udoff, together with the Assignee in the above-captioned matter, M. Albert Morningstar, by and through their attorney, David E. Aldridge, and respectfully represents unto this Honorable Court:

FIRST: That M. Albert Morningstar is the Assignee with authority to sell the real estate in the above-captioned proceedings.

SECOND: That after complying with the requisite requirements M. Albert Morningstar, Assignee, did on the 21st day of December, 1981, sell unto Paul J. McHenry at and for the sum of Eighty-nine Thousand Dollars (\$89,000.00) the property known as 125 East Patrick Street, Frederick, Maryland.

THIRD: That the aforesaid sale was ratified by this Honorable Court on the 29th day of January, 1982.

FOURTH: That M. Albert Morningstar, Assignee, has requested the purchaser to go to settlement, but said purchaser has refused to do so.

FIFTH: That said refusal to go to settlement mandates the Assignee to petition the Court to order a resale at the sole risk and expense of the defaulting purchaser.

WHEREFORE, your Petitioner requests that an order be passed directing the purchaser at the foreclosure sale to show cause why the property should not